



County Executive Office
Memorandum

Bd: 11/20/12

#50

November 15, 2012

To: Chairman John M.W. Moorlach, Supervisor, Second District
From: Robert J. Franz, Interim County Executive Officer
Subject: Board Directive Concerning Process to Fill Vacant Countywide Elected Offices (#36 October 30, 2012)

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CLERK-RECORDER
BOARD OF SUPERVISORS

During the Board of Supervisors meeting on October 30, 2012, additional direction was provided to the County Executive Office and Human Resource Services to provide additional information for Board consideration. As a result, staff has prepared job descriptions for the position of Clerk-Recorder (soon to be vacant), and the position of Public Administrator (vacant). Attached are the draft job descriptions titled Public Administrator (Attachment 1) and Clerk-Recorder (Attachment 2).

Please note that Government Code Section 25304 spells out the authority for the Board of Supervisors to fill the vacancy of a countywide elected office. An individual appointed to fill a vacancy would hold the office until the conclusion of the remaining term of office; appointees wishing to continue in office would need to run for the office in 2014 and be elected by the voters of Orange County. Appointees to the positions of either Clerk-Recorder or Public Administrator must be registered voters of Orange County at the time of appointment and remain qualified for the balance of the remaining term of office. There are no unique statutory requirements for either the Clerk-Recorder or Public Administrator positions; the Board of Supervisors, however, may establish guidelines for consideration and selection of appointees for either position.

The draft Public Administrator job description is pending Board of Supervisors direction concerning placement alternatives for this office.

Requirements for the elected positions would call for revision to State law. Such revisions would need to be completed prior to the filing for these elected positions in March 2014. Along with the draft job descriptions, a draft Elected Officials Selection Timeline for Clerk-Recorder and Public Administrator is attached (Attachment 3).

Recommended Actions:

1. Direct Human Resource Services and the County Executive Office to Modify the Draft Job Descriptions for Clerk-Recorder and Public Administrator as Needed.
2. Provide Direction to Staff Concerning Selection Process and Timing to Fill Vacant Countywide Elected Positions

Attachments:

1. Draft Public Administrator Job Description
2. Draft Clerk-Recorder Job Description
3. Draft Elected Officials Selection Timeframe

Public Administrator

Definition

The Public Administrator formulates policies, directs and coordinates the administrative and operational support services of this department to provide services to the community. Services include oversight of will searches, coordinating the burial of individuals who are indigent and administering estates for residents where there is no other personal representative or executor and may act as a trustee.

Essential Duties and Responsibilities

- Plans, directs, organize and evaluates the activities of the agency.
- Develop, implement, and monitor agency goals and objectives.
- Direct, review and approve agency policies and procedures. Periodically evaluate those goals to ensure agency policies are followed.
- Direct the operation of the programs of the Public Administrator which may include: will searches, locating relatives to coordinate the burial arrangements of a decedent, conducting investigations to determine any needs to administer an estate, administering an estate and trusts.
- Oversee the administration of indigent burials for the County.
- Plans and directs administrative services for the agency which may include payroll, personnel, purchasing, data processing, building maintenance and other general administrative activities of the program.
- Directs and reviews the agency budget, directs the preparation of the budget justifications, participate in meetings with county budget staff concerning any requests, estimates and expenditures for the agency.
- Interface directly with other County Departments providing support services to the Public Administrator such as the Public Guardian, Sheriff and Coroner. In addition interface directly with the courts, private parties and institutions.

- Oversee the hiring of new employees, determines training needs and procedures, evaluates the performance of personnel consistent with County policies.
- Direct and oversee the development of the Agency Strategic, Financial and Business plan for the agency.
- Provide technical support to the Public Administrator staff.
- Review and sign any petitions or documents related to decedent estates and trusts.
- Identify, analyze or direct the analysis of any issues related to beneficiaries assets. Evaluates various management problems by conducting costs, staff utilization and other studies; oversees the preparation of comprehensive reports, records and correspondence.
- Appear at any community functions, when requested, to explain the services of the Public Administrator.

Minimum Qualifications (*desirable for appointment*):

Education/Experience

- A minimum of five (5) years experience in the establishment and implementation of organizational policies and procedures; fiscal management controls; and personnel administration.
- A minimum of five (5) years experience handling or overseeing probate functions, estate administration, conservatorships, guardianships, and asset management with a broad understanding of the associated fiduciary responsibilities and legal procedures as they relate to Public Administrator responsibilities/procedures.

Thorough Knowledge of:

- Basic principles of decedent administration which will include statutory responsibilities of protecting property, administering formal and informal estates, and trusts.
- Business or public administration management principles and organization design to formulate and implement administrative policies to define functional responsibilities, span of control, to determine manpower and equipment needs.
- Basic principles of fiscal management, budget development/administration, to provide the financial oversight of the agency.

- Principles and practices of management to achieve performance objectives.

General Knowledge

- Accounting principles and theories necessary to develop and implement systems and procedures related to departmental accounting and financial reporting needs.
- Principles and practices of personnel administration.

Ability

- Plan, organize, direct, coordinate and supervisor the work of subordinates.
- Consult with counsel on complex estate matters in a collaborative manner.
- Communicate effectively both internally and externally.
- Identify and analyze work flow issues.
- Identify, analyze, and problem solve any program issues.
- Understand laws related to the work of the Public Administrator.
- Work collaboratively with other County Agencies and the general public.

Special Requirements (*Desired for appointment*):

Certifications: Applicant should possess one or more of the following when applying and during term in office, a State of California Professional Fiduciary License at all times; or be a member of the California State Bar; or possess a valid certificate issued by the California Board of Accountancy showing the reason to be a certified Public Accountant; or certification issued by the California Association of Public Administrators/Public Guardians/Public Conservators.

Background: Applicants must pass an extensive background investigation to the satisfaction of the County Executive Officer and Human Resource services with the ability to be bonded. Applicant will be required to execute a consent waiver for the background investigation.

Physical and Mental Requirements: Applicant must possess skills sufficient to communicate clearly and understandably in person, writing, and over the telephone. Applicant must also possess the ability to independently reason logically, analyze data, reach conclusions, and make recommendations; possess the ability to remain calm and appropriately focused in rapidly changing and difficult situations involving conflict, complex issues, controversy, and diverse stakeholder groups and interests; possess the ability to deal calmly and effectively with emotional interactions.

County Clerk-Recorder

The Clerk-Recorder Department is comprised of two major divisions: Recorder Services and Systems, and Clerk Services. Recorder Services is responsible for examining and recording documents presented for recording regarding ownership of land in the county. The department maintains a permanent record and index of all documents for public access. Clerk Services is responsible for maintaining and providing certified copies of birth, death and marriage certificates. The department also issues marriage licenses, performs civil marriage ceremonies, files fictitious business name statements, processes passport applications, files notary public oaths and bonds, and registers professional photocopiers, process servers and unlawful detainer assistants. Other responsibilities of the department include overseeing the County Archives. The Archives identifies catalogs, protects and provides access to county records and other materials of historical value. Volumes of historic photographs, correspondence, property records, artifacts and numerous materials on the history of Orange County are accessible to the public, researchers and historical organizations.

The elected County Clerk-Recorder is responsible for creating the mission and long-term vision of the County Clerk-Recorder department based on effective responsiveness to the public and/or other client needs; establishes policies and determines priorities; directs the allocation of resources to achieve timely outcome and measurable goals with budget guidelines; and performs related duties as needed.

The selected candidate must be a U.S. citizen, resident of the County of Orange and registered to vote.

**ELECTED OFFICIALS SELECTION TIMELINE
CLERK-RECORDER, PUBLIC ADMINISTRATOR
(ATTACHMENT 3)**

2012

November 20	Board of Supervisors Discussion and Direction
December 4	Job Descriptions – Drafts Finalized
December 5	Issue news release and post recruitment information on internet with relevant professional groups

2013

January 15	Final Receipt of Applications
January 31	Review Applications for MQ's
February	Interview of Candidates by Board of Supervisors
February - March	Selection of Final Interview Candidates
March	Final Interview and Board Selection
March	Board Appointment of Office Holders

2014

March	Incumbents and Others File for June 2014 Election
June	Primary Election Conducted <ul style="list-style-type: none">• Candidates receiving 50% + 1 Sworn into Office• Candidates Receiving Less Than 50% to November
November	General Election Conducted

2015

January	Top Vote Recipient Sworn into Office
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